APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,569	08/31/2001	Bertrand Berthelot	1807.1743	9399

			EXAMINER
5514	7590	08/23/2004	STEVENS, ROBERT

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 August 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 August 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>11/7/01,12/14/01</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-17 are pending in Application No. 09/942,569, entitled "Method and

Device for Adapting the Content of Documents of an Information Server", filed

8/31/2001. Claims 1, 7 and 15 are independent. Claims 3-10 and 13-17 are multiply

dependent.

2.   The Office acknowledges the receipt of two IDS submissions filed on 11/7/2001

and 12/14/2001, respectively.

Priority

3.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Should applicant desire to obtain the benefit of foreign priority under 35

U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign

application should be submitted under 37 CFR 1.55 in reply to this action.

Drawings

4.   The drawings are objected to as failing to comply with 37 CFR 1.84(o) because

suitable descriptive legends are required for the understanding of Fig. 9.

5.   Corrected drawing sheets are required in reply to the Office action to avoid

abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if

only one figure is being amended. The replacement sheet(s) should be labeled

"Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

any portion of the drawing figures. If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Specification

1.   Applicant is reminded of the proper language and format for an abstract of the

disclosure.

The abstract should be in narrative form and generally limited to a single

paragraph on a separate sheet within the range of 50 to 150 words. It is important that

the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology

often used in patent claims, such as "means" and "said," should be avoided. The

abstract should describe the disclosure sufficiently to assist readers in deciding whether

there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information

given in the title. It should avoid using phrases which can be implied, such as, "The

disclosure concerns," "The disclosure defined by this invention," "The disclosure

describes," etc.

2.   The abstract of the disclosure is objected to because: (1) it merely reiterates the

claims; and (2) it contains more than one paragraph. Correction is required. See

MPEP § 608.01(b).

3.   The following guidelines illustrate the preferred layout for the specification of a

utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should
include the following sections in order. Each of the lettered items should appear in
upper case, without underlining or bold type, as a section heading. If no text follows the
section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
      DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
      COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer
      program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
      and tables having more than 50 pages of text are permitted to be
      submitted on compact discs.) or
      REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
      "Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.
     (1) Field of the Invention.
     (2) Description of Related Art including information disclosed under 37
     CFR 1.97 and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A
     "Sequence Listing" is required on paper if the application discloses a
     nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if
     the required "Sequence Listing" is not submitted as an electronic
     document on compact disc).

4.   The disclosure is objected to because of the following informalities: Page 7 line

1: the drawing element "Web pages" is incorrectly referenced as "1". Please correct all

spelling/grammatical/etc. issues throughout the specification.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7.   **Claims 17_1, 17_2, 17_{11} and 17_{12} are rejected under 35 USC § 101** as being

directed toward non-statutory subject matter.

Claims 17_1, 17_2, 17_{11} and 17_{12} are directed to software programs, per se, not

tangibly embodied in a computer readable medium.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9.   **Claims 1-17 are rejected under 35 U.S.C. 112, first paragraph,** as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

10.

    Regarding independent method claim 1, there was no enablement as to:

> ... the step of adapting (E35) said second document taking place before the reception of a request for access to said second document.

First of all, there was no implementation detail provided in the specification regarding this limitation. Secondly, the specification at page 8 lines 1-3 and page 17 lines 21-23 indicate that adapted versions of documents are eliminated at the end of each communication session (i.e., adapting <u>cannot</u> take place before reception of a user request, because there is nothing to adapt before a client commences a communication session).

Regarding independent device claim 11, there was no enablement as to:

> *... the adaptation of said second document taking place before the reception of a request for access to said second document.*

First of all, there was no implementation detail provided in the specification regarding this limitation. Secondly, the specification at page 8 lines 1-3 and page 17 lines 21-23 indicate that adapted versions of documents are eliminated at the end of each communication session (i.e., adapting <u>cannot</u> take place before reception of a user request, because there is nothing to adapt before a client commences a communication session).

Claims 2-10 and 12-17 are dependent upon claims 1 and 11, as appropriate, and therefore are likewise rejected.

Additionally:

Regarding claim 14, there was no implementation detail of the claim limitation:

> *a random access memory (103) comprising: <u>registers</u> adapted to store variables modified during the running of said program*

11.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12.   **Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph,** as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 1 and 11, each recite the limitation "the reception of a request for access

to said second document" in their last stated limitation ("characterised in that ..."). There

is insufficient antecedent basis for this limitation in the claim. Note that the request was

for "one of the documents ...", not for a specific "second document".

Claims 2-10 and 12-17 are dependent upon claims 1 and 11, as appropriate,

and therefore are likewise rejected.

Additionally:

Regarding claims 10 and 13, these claims destroy the limitation in claims 1 and

11, as appropriate, pertaining to adapting before the reception of a request. If the

adapted documents are eliminated at the end of a communication session, then they

cannot exist to permit adaptation before the reception of another access request.

Dependent claims can only add limitations, not remove/contradict previously stated

limitations in the parent claim(s).

Regarding claim 14, the term "possibly" in line 10 is a relative term, which

renders these claims indefinite. The term "possibly" is not defined by the claims, the

specification does not provide a standard for ascertaining the requisite degree, and one

of ordinary skill in the art would not be reasonably apprised of the scope of the

invention.

Regarding claims 15_{11}, 15_{12}, 16_{11}, 16_{12}, 17_{11}, and 17_{12}, the scope of each claim

is indeterminable. Claims 15_{11} and 15_{12} are each directed to a system (server) that

implements <u>a method according to an apparatus (device/adaptation device)</u>. Claims

16_{11} and 16_{12} are each directed to a system (network) comprising a system (server) that

implements <u>a method according to an apparatus (device/adaptation device)</u>. Claims

17_{11} and 17_{12} are each directed to non-statutory subject matter (<u>computer program</u>) <u>that</u>

<u>implements an apparatus (device/adaptation device)</u>.

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

14.   **Claims 1-7 and 9-17 are rejected under 35 U.S.C. 103(a)** as being

unpatentable over Gupta et al. (US Patent Application Publication No. US

2001/0020242, filed Nov. 16, 1998, hereafter referred to as "Gupta") in view of Greer et

al. (US Patent Application Publication No. US 2001/0011226, filed Jun. 25, 1997,

hereafter referred to as "Greer").

Regarding independent method claim 1, Gupta discloses:

> *Method of adapting the content of documents (21) on an information
> server (1), including the following steps:*
> > *receiving (E31) a request by a user (3) for access to one of the
> > documents (21) situated on the information server (1), said access request
> > beginning a communication session;* ([0015] "client contacts HTTP
> > server") *and*
> > *characterised in that it comprises a step of adapting (E35) the
> > content of at least a second document situated on the information server
> > (1) according to said characteristics,* ([0062] discussing the insertion of an
> > advertisement, based on a user profile) *the step of adapting (E35) said
> > second document taking place before the reception of a request for
> > access to said second document.* ([0075] discussing the caching of web
> > pages [i.e., the storing of web pages for future use])

Gupta, however, does not explicitly disclose:

> *analysing (E32) the characteristics contained in said access
> request;*

Greer, though, discloses:

> *analysing (E32) the characteristics contained in said access
> request;* (Fig 2 showing a user profile data structure and [0015] discussing
> the use of a user profile key)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Greer for the benefit of Gupta, because to do so

would allow for the storage of searchable user profiles (based upon keys) as taught by

Greer in [0014].

It also would have been obvious to one of ordinary skill in the art at the time of

the invention to apply the teachings of Greer for the benefit Gupta because these

references were all applicable to the same field of endeavor, i.e., client-server

communications.

Regarding claim 2, which is dependent upon claim 1, the limitations of claim 1

have been previously discussed.

However, Gupta does not explicitly disclose:

> *characterised in that the adaptation step (E35) is interrupted on*
> *reception of a request for access to a document on the information server*
> *(1).*

Greer, though, discloses:

> *characterised in that the adaptation step (E35) is interrupted on*
> *reception of a request for access to a document on the information server*
> *(1).* ([0020], discussing a triggering program)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Greer for the benefit of Gupta, because to do so

would allow for the filtering of important data as taught by Greer in [0020].

It also would have been obvious to one of ordinary skill in the art at the time of

the invention to apply the teachings of Greer for the benefit Gupta of because these

references were all applicable to the same field of endeavor, i.e., client-server

communications.

Regarding claim 3, which is multiply dependent upon claims 1 or 2, the

limitations of claims 1 and 2 have been previously discussed.

Gupta further discloses:

> *characterised in that, at the adaptation step (E35), the content of all the documents situated on the information sewer (1) is adapted according to said characteristics.* ([0075], discussing multiple types of pages cached)

Regarding claim 4, which is multiply dependent upon claims 1 or 2, the

limitations of claims 1 and 2 have been previously discussed.

Gupta further discloses:

> *characterised in that at the adaptation step (E35), the content of only some documents situated on the information server (1) is adapted according to said characteristics.* ([0075], discussing the forwarding of custom web pages from cache, based upon the user's interest in a particular field)

Regarding claim 5, which is multiply dependent upon claims 1 or 2, the

limitations of claims 1 and 2 have been previously discussed.

Gupta further discloses:

> *characterised in that it also includes a step (E35) of determining an order of processing for the adaptation of the documents situated on the information server (1).* ([0075], discussing the determination of a priority order as to which ad to insert (or adaptation document to create))

Regarding claim 6, which is dependent upon claim 5, the limitations of claim 5

have been previously discussed.

However, Gupta does not explicitly disclose:

> *characterised in that, at the determination step (E35), the order of*
> *processing of the documents is determined according to the frequency of*
> *access to these documents on the information server (1).*

Greer, though, discloses:

> *characterised in that, at the determination step (E35), the order of*
> *processing of the documents is determined according to the frequency of*
> *access to these documents on the information server (1).* ([0023],
> discussing that the user "clicks on many icons associated with basketball")

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Greer for the benefit of Gupta, because to do so

would allow for the customizing of ad banners to take into account dynamic information

as taught by Greer in [0023], first sentence.

It also would have been obvious to one of ordinary skill in the art at the time of

the invention to apply the teachings of Greer for the benefit Gupta of because these

references were all applicable to the same field of endeavor, i.e., client-server

communications.

Regarding claim 7, which is dependent upon claim 6, the limitations of claim 6

have been previously discussed.

However, Gupta does not explicitly disclose:

> *characterised in that only some documents having a frequency of access greater than a threshold are adapted.*

Greer, though, discloses:

> *characterised in that only some documents having a frequency of access greater than a threshold are adapted.* ([0023], discussing that the user "clicks on **many** [emphasis added] icons associated with basketball")

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Greer for the benefit of Gupta, because to do so would allow for the customizing of ad banners to take into account dynamic information as taught by Greer in [0023], first sentence.

It also would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Greer for the benefit Gupta of because these references were all applicable to the same field of endeavor, i.e., client-server communications.

Regarding claim 9, which is multiply dependent upon claims 1 or 2, the limitations of claims 1 and 2 have been previously discussed.

Gupta further discloses:

> *characterised in that, at the analysis step (E32), the characteristics contained in said access request are chosen amongst characteristics of a communication network (2) between said user (3).* ([0082], regarding "the IP address or port number")

However, Gupta does not explicitly disclose:

> characteristics of a terminal of said user (3), and the information
> server (4), and characteristics peculiar to the user (3).

Greer, though, discloses:

> characteristics of a terminal of said user (3), and the information
> server (4), (Fig 2 #210) and characteristics peculiar to the user (3). (Fig 2
> #216, and [0015])

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Greer for the benefit of Gupta, because to do so

would allow for customizing or targeting advertising to a specific target computer or

target user as taught by Greer in [0005] ("customizing or targeting advertising") and

[0014] ("to the specific target computer or target user").

It also would have been obvious to one of ordinary skill in the art at the time of

the invention to apply the teachings of Greer for the benefit Gupta of because these

references were all applicable to the same field of endeavor, i.e., client-server

communications.

Regarding claim 10, which is multiply dependent upon claims 1 or 2, the

limitations of claims 1 and 2 have been previously discussed.

Gupta further discloses:

> characterised in that the adaptation step (E35) is interrupted on
> reception of a request for access to a document on the information server
> (1). ([0016], "server does not retain any information")

Regarding independent device claim 11, Gupta discloses:

> *Device for adapting the content of documents (21) on an information server (1), comprising:*
>> *means (22) of receiving a request by a user (3) for access to one of the documents (21) situated on the information server (1);* ([0015] "client contacts HTTP server") *and*
>> *characterised in that it comprises means (22) of adapting the content of at least a second document situated on the information server (1) according to said characteristics, the adaptation of said second document taking place before the reception of a request for access to said second document.* ([0075] discussing the caching of web pages [i.e., the storing of web pages for future use])

Gupta, however, does not explicitly disclose:

> *means (22) of analysing characteristics contained in said access request;*

Greer, though, discloses:

> *analysing (E32) the characteristics contained in said access request;* (Fig 2 showing a user profile data structure and [0015] discussing the use of a user profile key)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Greer for the benefit of Gupta, because to do so would allow for the storage of searchable user profiles (based upon keys) as taught by Greer in [0014].

It also would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Greer for the benefit Gupta because these references were all applicable to the same field of endeavor, i.e., client-server communications.

Claim 12, which is dependent upon claim 11, is substantially similar to claim 5, and is therefore likewise rejected.

Claim 13, which is dependent upon claims 11 or 12, is substantially similar to claim 10, and is therefore likewise rejected.

Regarding claim 14, which is multiply dependent upon claims 11 or 12, the limitations of claims 11 and 12 have been previously discussed.

Gupta further discloses:

> *a microprocessor (100);* (Fig 2 #123 and [0043] discussing microprocessor types)
> *a read only memory (102) adapted to store a program for adapting the content of documents;* ([0048], "ROM cards") *and*
> *a random access memory (103) comprising: registers adapted to store variables modified during the running of said program.* ([0043], "main memory is ... dynamic random access memory")

Claim 15$_1$, which is dependent upon and implements the method of claim 1, is substantially similar to claim 1, and is therefore likewise rejected.

Claim 15$_2$, which is dependent upon and implements the method of claim 2, is substantially similar to claim 2, and is therefore likewise rejected.

Claim 15$_{11}$, which is dependent upon and implements the method [sic] of claim 11, is substantially similar to claim 11, and is therefore likewise rejected.

Claim 15$_{12}$, which is dependent upon and implements the method [sic] of claim 12, is substantially similar to claim 12, and is therefore likewise rejected.

Claim 16$_1$, which is dependent upon and implements the method of claim 1, is substantially similar to claim 1, and is therefore likewise rejected.

Claim 16$_2$, which is dependent upon and implements the method of claim 2, is substantially similar to claim 2, and is therefore likewise rejected.

Claim 16$_{11}$, which is dependent upon and implements the method [sic] of claim 11, is substantially similar to claim 11, and is therefore likewise rejected.

Claim 16$_{12}$, which is dependent upon and implements the method [sic] of claim 12, is substantially similar to claim 12, and is therefore likewise rejected.

Claim 17$_1$, which is dependent upon and implements the method of claim 1, is substantially similar to claim 1, and is therefore likewise rejected.

Claim 17$_2$, which is dependent upon and implements the method of claim 2, is substantially similar to claim 2, and is therefore likewise rejected.

Claim 17$_{11}$, which is dependent upon and implements the method [sic] of claim 11, is substantially similar to claim 11, and is therefore likewise rejected.

Claim 17$_{12}$, which is dependent upon and implements the method [sic] of claim 12, is substantially similar to claim 12, and is therefore likewise rejected.

15.   **Claim 8 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Gupta et al. (US Patent Application Publication No. US 2001/0020242, filed Nov. 16, 1998, hereafter referred to as "Gupta") in view of Greer et al. (US Patent Application

Publication No. US 2001/0011226, filed Jun. 25, 1997, hereafter referred to as "Greer")

and further in view of Cole et al. (US Patent No. US 5,933,827, filed Sep. 25, 1996

issued Aug. 3, 1999, hereafter referred to as "Cole").

Regarding claim 8, which is dependent upon claim 5, the limitations of claim 5

have been previously discussed.

However, Gupta does not explicitly disclose:

> *characterised in that, at the determination step (E35), the order of
> processing of the documents is determined according to the tree of the
> documents on the information server (1).*

Cole, though, discloses:

> *characterised in that, at the determination step (E35), the order of
> processing of the documents is determined according to the tree of the
> documents on the information server (1).* (Fig. 6 discloses a tree of
> documents and col. 2 lines 10-14 discuss processing/traversing the tree
> hierarchy)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Cole for the benefit of Gupta in view of Greer,

because to do so would enable a user to view web pages in a logical arrangement as

taught by Cole in col. 2 lines 37-41.

It also would have been obvious to one of ordinary skill in the art at the time of

the invention to apply the teachings of Cole for the benefit Gupta in view of Greer

because these references were all applicable to the same field of endeavor, i.e., client-

server communications.

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Non-patent Literature

Yoon, J., "HTML Survival Kit – Access Counter", Dept. of Civil and Environmental Engineering, Old Dominion University, © 1999, (www.cee.odu.edu/counter/digits/digit.html), pp. 1-6.

Held, Gilbert, "Focus on Web Trends", International Journal of Network Management, vol. 9, © 1999, CCC 1055-7148/99/040279-06, pp. 279-284.

Gore, Marvin R., et al., Computers and Information Systems, 2nd Edition, McGraw-Hill Book Company, New York, NY, © 1984, pp. 58-59, 64-71 and 84.

Kristol, D., and L. Montulli, "HTTP State Management Mechanism", Network Working Group/Standards Track, RFC 2109, February 1997, (www.cs.wisc.edu/~cao/coolies-rfc2109.html), pp. 1-16.

"SIDEBAR 2: Maintaining – HTTP Cookies", Feb. 19, 1999, (magni.grainger.uiuc.edu/lis450ds/cookies.html), pp. 1-2 (plus web.archive.org sheet dating this web page).

US Patent Application Publications

Ulrich et al	US2001/0000958
Schreiber et al	US2001/0000541
Jungck et al	US2002/0065938
Popp et al	US2002/0133637
Bull et al	US2003/0187726
Kawasaki	US2001/0011264

US Patents

Dunsmoir et al	6,507,854
Higginson et al	6,532,448
Kraemer	6,490,602
Brothers	6,438,125
Godden et al	6,401,077
Burd et al	6,757,900
Eldreth	6,721,795
Nielsen	5,963,964
Lockwood	5,309,355
Levinson	5,404,505
Belove et al	5,491,820
Bull et al	6,208,975

McLaren et al   6,678,712
Boucher et al   6,434,620

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (703) 605-4367. The examiner can normally be reached on M-F 7:00 - 3:30. After mid-October 2004, the Examiner can be reached at (571) 272-4102.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Stevens
Art Unit 2176
Date: August 18, 2004

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

rms